

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Cynthia Carolina Zapata
YOB: 1998 CITIZENSHIP: USC*Defendant(s)*Case No. M-20-1204-M

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 12, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:*Code Section**Offense Description*

21 U.S.C. § 841

did knowingly and intentionally possess with the intent to distribute approximately 3.52 kilograms of methamphetamine, a Schedule II controlled substance.

21 U.S.C § 952

did knowingly and intentionally import approximately 3.52 kilograms of methamphetamine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

/s/ Nathan Tong*Complainant's signature*Nathan Tong, U.S. H.S.I. Special Agent*Printed name and title*

Complaint authorized by AUSA Amy Greenbaum

Submitted by reliable electronic means, sworn to and attested
telephonically per Fed.R.Cr.P.4.1, and probable cause found on:Date: 6/12/2020 6:31 p.m.City and state: McAllen, TexasPete E Ormsby*Judge's signature*U.S. Magistrate Judge Peter Ormsby*Printed name and title*

Attachment "A"

On June 12, 2020, Department of Homeland Security (DHS), Homeland Security Investigations (HSI), McAllen, Texas Office received information from Customs and Border Protection (CBP), Office of Field Operations (OFO) at the Hidalgo, Texas Port of Entry (POE), in reference to the seizure of approximately 3 kilograms of methamphetamine, which was found within a car battery in the rear seat area of a vehicle making entry into the United States from Mexico. The driver of the vehicle was identified as Cynthia Carolina ZAPATA. The vehicle was also occupied by a related juvenile.

CBP Officer M. Ortiz stated the vehicle, driven by ZAPATA, arrived at the primary area at approximately 2333 hours. CBP Officer Ortiz noticed a large car battery in the floor behind the driver seat. CBP Officer Ortiz retrieved the battery and noticed the battery appeared to be unusually light. CBP Officer Ortiz referred the vehicle to the secondary inspection area for further examination. Once in secondary inspection, the battery was inspected by CBP Officer S. Cortes, and further anomalies with the battery were discovered. The battery was opened revealing several packages. Additionally, CBP Officer M. Gonzalez, Jr., a K9 handler, inspected the car battery removed from the rear of the vehicle. K9 "Orna" gave a positive alert for the presence of narcotics. Upon further inspection, a white powdery substance was located within the battery removed from the rear seat area of the vehicle. This substance field tested positive for characteristics of methamphetamine and had a final weight of approximately 3.52 kilograms.

HSI McAllen Special Agents responded to assist in the investigation. During a post Miranda interview of ZAPATA, ZAPATA made the following non-verbatim statements that have been paraphrased and may not be in the order in which she gave them:

ZAPATA stated she went to her mother's home in Reynosa, Mexico, on June 11, 2020. While at her mother's home, she was contacted by a co-conspirator and instructed to pick up a battery from a second co-conspirator. The second co-conspirator met ZAPATA in a parking lot and gave ZAPATA a car battery. ZAPATA was instructed to place the battery under the feet of the child in the rear of the vehicle. ZAPATA stated that this request was suspicious. ZAPATA then drove the vehicle with the battery in the rear seat area from Mexico and attempted entry into the United States. ZAPATA stated that she was going to be paid \$100 to cross this battery from Mexico to the United States. ZAPATA felt that the \$100 payment was suspicious as she knew the car battery only cost about \$45 in the United States. ZAPATA stated that she thought there may be drugs in this battery yet still attempted to bring the battery from Mexico to the United States as she needed the money.